



**REGULAR MEETING OF CITY COUNCIL HELD
MONDAY, FEBRUARY 8, 1999**

Mayor Davis called the meeting to order at 8:08 p.m.

ROLL CALL was answered by Rodney M. Roberts, Alan Turnbull, Thomas X. White and by Judith F. Davis, Mayor. Mr. Putens arrived at 9:33 p.m.

ALSO PRESENT were Michael P. McLaughlin, City Manager; Robert Manzi, City Solicitor; W. Bowman Ferguson, Management Analyst and David E. Moran, City Clerk.

Mayor Davis observed a moment of silence for Maree F. Loutsch, Eileen M. Hensel and Margaret A. Sparks. Then, she led the Pledge of Allegiance to the Flag.

CONSENT AGENDA: Mr. Roberts requested that the item entitled "Acceptance of Job Description - Park Ranger I" be removed. With that change, Mr. White moved approval of the consent agenda. Mr. Roberts seconded. The motion passed 5 to 0.

COUNCIL THEREBY TOOK THE FOLLOWING ACTIONS:

MINUTES:

- Regular Meeting, December 14, 1998
- Regular Meeting, January 11, 1999
- Work Session, January 13, 1999
- Work Session, January 20, 1999
- Regular Meeting, January 25, 1999
- Work Session, January 27, 1999

Approved as presented.

REQUEST FROM ELEANOR ROOSEVELT HIGH SCHOOL: Council approved the requested waiver of facility rental fees.

APPROVAL OF AGENDA: Mr. Turnbull moved that the agenda be approved. Mr. White seconded. The motion passed unanimously.

PRESENTATIONS:

"When Beavers Attack" Video: Barbara Simon, Director of Children's Programming for Greenbelt Association for the Visual Arts (GAVA) presented a copy of this video, which was produced by a children's summer camp, to the City. She noted it would be shown on Channel B-

10 and introduced George Kochell, Chris Konkel, Andromeda Huff and Nora Simon, and recognized their efforts. Ms. Simon thanked the Council for their support.

Introduction of New Police Lieutenant: Chief Craze introduced Thomas Kemp as the new Police Lieutenant. Chief Craze read a biography. Lt. Kemp introduced his family. He expressed his pride in the department and his work with the city.

Recognition of James Craze, Chief of Police: Mayor Davis read a letter of congratulations from Governor Glendening on his election to the position of Sergeant-at-Arms of the Maryland Chiefs of Police Association. She also noted that Chief Craze was the Vice-President of the Prince George's County Chiefs Association

Oil Filter Recycling Program: Neal Barnett, Recycling Committee Chair, announced a new city program for recycling used oil filters at the city's Recycling Center.

Introduction of Sandra Morris: Mayor Davis introduced Sandra Morris, Officer in Charge of the Greenbelt Post Office. Ms. Morris described her experiences with the Postal Service. She noted that the Postmaster position in Greenbelt was very sought after, but hoped she would be chosen for the position. Ms. Morris stated that on March 1, route inspections would be conducted.

Mayor Davis noted that former Postmaster John Hyater had retired in January.

PETITIONS AND REQUESTS: Lowell Owens of 119 Northway, stated he was representing Citizens to Conserve and Restore Indian Creek (CCRIC). He petitioned Council to oppose the construction of a beltway interchange at the Metro site.

Mayor Davis thanked the group for the petition and indicated the city would accept it. She thanked the group for forming.

Mr. White noted that the City had previously opposed: construction of the UDSA headquarters facility, the widening of MD 201 and the expansion of Sunnyside Avenue because of the impacts on Indian Creek. He hoped this group would support these efforts as well.

Mr. Turnbull stated it was great that Indian Creek had a watershed protection group and wished the group well.

MINUTES:

Executive Session, January 20, 1999: Mr. Roberts moved that the minutes of the Executive Meeting of the City Council held Wednesday, January 20, 1999 be approved as presented. He further requested that the minutes of this meeting reflect that the Council met in Executive Session at 6:45 p.m. in the Community Center Senior Gallery, and that Council held this closed meeting in accordance with Section 10-508 (a)(7) of the State Government Article of the Annotated Code of Public General Laws of Maryland (1995 Replacement Volume) to consult with legal counsel to obtain legal advice. Mr. Turnbull seconded.

ROLL CALL:

Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

ADMINISTRATIVE REPORTS: Mr. McLaughlin reported on two items. First, an item from the Prince George's Education Foundation announcing a new grant program. Second, on 2/17 & 2/27 there will be visioning and goal setting meetings for the Anacostia Trails Heritage Area. He invited Council and the public to attend.

Mr. White asked about the status of the Hanover Parkway lights situation. Mr. McLaughlin reported that negotiations were not yet complete, but staff was optimistic.

A RESOLUTION FOR THE NEGOTIATED PURCHASE OF COMPAQ COMPUTERS FOR THE FINANCE SYSTEM

Mayor Davis read the agenda comments. Mr. Roberts introduced the above titled resolution for second reading and adoption. Mr. White seconded.

ROLL CALL:

Mr. Roberts - yes
Mr. Turnbull - yes
Mr. White - yes
Mayor Davis - yes

(The resolution was declared adopted. Resolution No. 885, Book No. 11)

PUBLIC HEARING ON TRANSFER OF OWNERSHIP FROM JONES TO COMCAST:

Mayor Davis read the agenda comments. Beverly Palau, announced that representatives of Comcast were not available and tied up in College Park.

Drew Sheckler and Karmen Bailey announced that Comcast was purchasing a controlling interest in Jones. He noted that when Lori Reardon arrived she would be able to answer additional questions. Mr. Roberts asked who would be responsible for the system. Mr. Sheckler indicated that local management would not change.

Mr. Turnbull asked Mr. Manzi why the city needed to act on this. Mr. Manzi stated it was in the city's best interest to have Comcast on the record as a signatory.

Karmen Bailey introduced Lori Reardon, Director of Intergovernmental Relations for Comcast. She provided an overview of Comcast. Ms. Reardon noted that Comcast believed in supporting community organizations and charities. She stated that Comcast is aware of the franchise renewal and was ready to fulfill any obligations in the franchise documents.

Mayor Davis was glad to hear that Comcast was community oriented and suggested they consider the ACE scholarship fund.

Mr. White, noting that Comcast had received a large investment from Microsoft, asked if the investment was from Microsoft or Bill Gates. Ms. Reardon wasn't sure but believed it was Microsoft. Mr. White asked what Microsoft got for its investment. Ms. Reardon indicated they purchased non-voting stock and indicated there were no strings associated with the investment, but that the money was used to upgrade systems. Mr. White asked about the total number and location of subscribers. Ms. Reardon responded there would be 5.5 million with the Jones acquisition and a large concentration were on the eastern seaboard. She stated that Comcast primarily operated cable systems.

Mr. Roberts asked about Comcast's plans to compete with other providers. Ms. Reardon responded that their goal was to be competitive and offer the best service possible.

Mr. White asked about service changes under Comcast, specifically programming options and expressed an interest in more creative channel packages. Ms. Reardon responded that there are costs associated with a-la-carte offerings and there are also federal regulations which governs their operations.

Sheldon Goldberg of 7848 Jacobs Drive, mentioned that he was trying to purchase an additional channel and was unsuccessful. He requested that the system provide Turner Classic Movies and Encore. Mayor Davis noted that a letter from David Ginsberg also requested the Turner Classic Movies channel.

Gary Massaglia stated that they are working very hard to improve the phone response when customers call Jones and stated that a lot of resources had been committed to this effort. Mayor Davis asked about surveying customers. Mr. Massaglia responded that Jones had done this in the past in other markets, but was unaware if it had been done here..

Betty Deitch of 3-H Crescent Road, stated that she had someone come on 8 different occasions on 8 days to get a working box. She noted that Karmen had been a big help. Ms. Bailey was glad that Jones was able to fix the matter, but embarrassed that it took so long.

Mayor Davis noted a concern from Mr. Ginsberg about the absence of Fox Channel 45. Mr. Massaglia noted that Fox 45 had not renewed an agreement with Jones. Mr. White asked how long channel 27 would remain blank. Mr. Massaglia responded that several channels were being left blank for future needs

Ms. Deitch asked why we have to have awful, ugly boxes. Mr. Massagli noted that the box was needed to encrypt some of the channels.

Mayor Davis was glad that Comcast was emphasizing high standards.

Sylvia Lewis of 2-C Gardenway expressed dissatisfaction with contractors that show up without tools. She hoped these problems would be improved with the new company.

Mayor Davis declared the public hearing to have been held.

AN ORDINANCE TO REPEAL AND REENACT WITH AMENDMENTS CHAPTER 5 "CABLE TELEVISION" OF THE GREENBELT CITY CODE TO REVISE THE PROCEDURES AND REQUIREMENTS RELATING TO CABLE TELEVISION FRANCHISES TO REFLECT CHANGES IN APPLICABLE LAW AND TO BETTER ENSURE THAT USE OF PUBLIC RIGHTS-OF-WAY BY CABLE SYSTEMS SERVES THE PUBLIC INTEREST.

Mayor Davis read the agenda comments. Mr. Putens introduced the above titled ordinance.

AN ORDINANCE GRANTING A NON-EXCLUSIVE CABLE TELEVISION FRANCHISE TO JONES COMMUNICATIONS OF MARYLAND INC. ("FRANCHISEE") TO CONSTRUCT OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM WITHIN THE CITY OF GREENBELT, MARYLAND; APPROVING A FRANCHISE AGREEMENT AND AUTHORIZING THE MAYOR TO SIGN THE FRANCHISE AGREEMENT ON BEHALF OF THE CITY

Mayor Davis read the agenda comments. Mr. Roberts introduced the above titled ordinance.

A RESOLUTION OF THE CITY OF GREENBELT GRANTING THE CONSENT OF THE CITY COUNCIL TO THE ASSIGNMENT AND TRANSFER OF CONTROL OF THE CABLE TELEVISION FRANCHISE AND CABLE TELEVISION SYSTEM FROM JONES INTERCABLE, INC., TO COMCAST CORPORATION

Mayor Davis read the agenda comments. Mr. Turnbull introduced the above titled resolution.

AN ORDINANCE TO AMEND CHAPTER 4, "BUILDINGS AND BUILDING REGULATIONS" OF THE GREENBELT CITY CODE FOR THE PURPOSE OF ALLOWING THE CITY TO UPDATE AND REVISE CERTAIN PROVISIONS OF THE CODE

Mayor Davis read the agenda comments. Mr. White introduced the above titled ordinance.

AN ORDINANCE TO AMEND CHAPTER 10, "LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS". OF THE GREENBELT CITY CODE BY ADDING A PENALTY FOR FAILING TO OBTAIN A CITY LIQUOR LICENSE

Mayor Davis read the agenda comments. Mr. Putens introduced the above titled ordinance.

AN ORDINANCE TO AMEND CHAPTER 18, "STREETS AND SIDEWALKS" OF THE GREENBELT CITY CODE FOR THE PURPOSE OF ALLOWING THE CITY TO UPDATE AND REVISE CERTAIN PROVISIONS OF THE CODE

Mayor Davis read the agenda comments. Mr. Putens introduced the above titled ordinance.

A RESOLUTION TO CONTINUE THE COMMUNITY MEDIATION SERVICE

Mayor Davis read the agenda comments. Mr. White introduced the above titled resolution.

ACCEPTANCE OF RECLASSIFICATION REQUESTS: Mayor Davis read the agenda comments.

Mr. Putens asked about the experience/education requirement. Mr. McLaughlin responded that this was included in the Supervisory Inspector description.

Mr. Putens moved that Council accept the amended job descriptions. Mr. Roberts seconded. The motion passed 5 to 0.

AUDIT SERVICES REQUEST FOR PROPOSALS: Mayor Davis read the agenda comments.

Mr. White moved that city retain the services of Keller-Bruner for one more year with a two year option. Mr. Putens seconded.

Mr. Turnbull asked Mr. Williams to elaborate on the pros and cons of retaining the current auditor versus selecting a new auditor. Mr. Williams responded that it would be helpful to retain the current auditor because of installation of the new computer system. On the other hand, he stated that a fresh pair of eyes is always welcome.

The motion carried 5 to 0.

ACCEPTANCE OF JOB DESCRIPTION - PARK RANGER I: Mayor Davis read the agenda comments.

Mr. Roberts asked that the vehicle maintenance item be removed. He did not believe the park ranger should have to work on his vehicle. Mr. McLaughlin suggested "Responsible for ensuring proper maintenance of vehicles."

Mr. Turnbull hoped the individual would not routinely be in a vehicle. Mr. McLaughlin responded that the vehicle would be used to get from park to park.

Mr. Putens asked where this individual would work. Mr. McLaughlin envisioned the ranger at Buddy Attick park, Schrom Hills park, Parcels 1 & 2 and also at the smaller pocket parks throughout the city.

Mr. Roberts asked that traffic control work listed in the job description be limited to park facilities. Mr. McLaughlin responded that this would not be a problem.

Mr. Turnbull wanted the emphasis on foot and bicycles and expressed concern about patrolling in a vehicle.

Mr. Putens moved that Council accept the job description. Mr. Roberts seconded. The motion passed 5 to 0.

MEETINGS: Council directed staff to try and get a commitment from the Senators Sarbanes and Mikulski for a federal legislative dinner March 3. Council scheduled an executive session for 3/10 at 7:00 p.m. and a work session with the fire department at 8:00 p.m. Council reserved 4 dates 3/17, 3/24, 3/25 & 3/31 for stakeholder work sessions with Capitol Office Park, media representatives and NASA.

ADJOURNMENT: Mr. Putens moved to adjourn the meeting. Mr. Turnbull seconded. The motion carried 5 to 0. Mayor Davis adjourned the regular meeting of February 8, 1999, at 10:44 p.m

Respectfully Submitted,
David E. Moran, CMC
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held Monday, February 8, 1999."

Judith F. Davis
Mayor